

**IN THE HIGH COURT OF UTTARANCHAL AT
NAINITAL.**

Writ Petition No. 1449 (S/S) of 2001

Old Number

Writ Petition No. 34097 of 2000

Jaipal Singh,
S/o Sri Kabool Singh,
At present working as Supervisor
District Social Welfare Officer,
Hardwar,
District – Hardwar. Petitioner

V e r s u s

1. Director, Social Welfare, U.P. Lucknow.
2. District Social Welfare Officer, Hardwar.
3. Sri Vimal Kumar, District Social Welfare Officer,
Hardwar.

.....Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Parikshit Saini, holding brief of Sri Manish Arora, learned counsel for the petitioner and learned standing counsel for State of Uttaranchal on behalf of respondents.

By means of this writ petition, the petitioner has prayed for following reliefs:

- (a) *issue a writ, order or direction in the nature of Certiorari quashing the impugned order dated 29.04.2000 passed by respondents no. 1 (Annexure No. 5 to the writ petition) with all consequential effects.*
- (b) *issue a writ, order or direction in the nature of Mandamus commanding the respondents not to*

interfere in peaceful functioning of the petitioner as Supervisor in District Social Welfare Office, Hardwar, in any manner whatsoever.

(c) Issue any other suitable writ, order or direction as this Hon'ble Court may deem fit and proper in the circumstances existing in the present case.

(d) award the costs of the present writ petition to the petitioner.

Allahabad High Court on 04.08.2000 passed the following order:

"Learned counsel for the petitioner is permitted to implead the District Social Welfare Officer, Hardwar as party respondent no.3.

Respondents nos. 1 and 2 respectively by the learned standing counsel. Let the notice be issued to newly impleaded respondent no. 3. Counter affidavit may filed by the date fixed.

Regard being had to the allegation of malafide made against the party respondent no. 3 and the fact that on the complaint filed by the petitioner, the Divisional Commissioner ordered enquiry against the District Social Welfare Officer, Hardwar who has passed the order impugned herein it is provided that the operation and effect of the impugned order shall remain stayed without prejudice to the enquiry which may be completed and taken to its logical end till further order by this court."

This order was passed on 04.08.2000 and the inquiry was not stayed by the Allahabad High Court.

It is expected from the respondents that the inquiry by the time has already been completed and final order has been passed. In case, the inquiry has not been completed till date, respondents are directed to complete the inquiry and pass final order within a period of two months from the date of production of certified copy of this order.

With the direction the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

May 16, 2006
SKSharma